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# A BILL FOR AN ACT

RELATING TO INTRASTATE TELECOMMUNICATIONS SERVICES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. Section 269-16.85, Hawaii Revised Statutes, is  
2       amended to read as follows:  
3       "~~[§]269-16.85[§] Local exchange~~ Retail intrastate  
4       **services; fully competitive.** (a) Notwithstanding section  
5       269-16.9 or any other law to the contrary, the public utilities  
6       commission shall treat ~~[the State's local exchange]~~ retail  
7       intrastate telecommunications services, under the commission's  
8       classification of services relating to costs, rates, and  
9       pricing, as fully competitive and apply all commission rules in  
10      accordance with that designation. In addition, a  
11      telecommunications carrier shall not be required to obtain  
12      approval or provide any cost support or other information to  
13      establish or otherwise modify in any manner its rates, fares,  
14      and charges, or to bundle any service offerings into a single or  
15      combined price package; provided that a telecommunications  
16      carrier, except upon receiving the approval of the commission,  
17      shall not charge a higher rate for any retail telecommunications

1 service than the rate for the same service included in the  
2 telecommunications carrier's filed tariff. All rates, fares,  
3 charges, and bundled service offerings shall be filed with the  
4 public utilities commission for information purposes only.

5 (b) This section shall apply to retail rates charged for  
6 service to end-user consumers only and shall not apply to  
7 wholesale rates charged for services provided by a  
8 telecommunications carrier to another telecommunications  
9 provider, a wireless communications provider, a voice over  
10 internet protocol communications provider, or other similar  
11 communications provider.

12 (c) Nothing herein shall modify any requirements of a  
13 telecommunications carrier to provide lifeline telephone  
14 service, comply with carrier of last resort obligations, or  
15 comply with applicable service quality standards."

16 SECTION 2. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 3. This Act shall take effect on July 1, 2010.

**Report Title:**

Intrastate Telecommunications Services

**Description:**

Clarifies that the public utilities commission shall treat retail intrastate telecommunications services as fully competitive. Clarifies that the fully competitive designation shall not apply to services provided according to the statutory obligations of telecommunications carriers. (SD1)

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